



PROTECTING

# OUR VETERANS'

2ND AMENDMENT RIGHTS

## DID YOU KNOW?

Currently, the Department of Veterans' Affairs can designate veterans as "mentally defective" without due process. This label automatically puts vets on the FBI's criminal background-check list, where they can be denied their 2nd Amendment rights.

### Here's how it works...

- 1 If the VA learns that a vet may be not be able to handle their VA financial benefits, the VA may assign them a fiduciary.
- 2 If a fiduciary is appointed, the vet is automatically labeled as "mentally defective" in the VA system.
- 3 The VA then sends vets' personal information to the FBI
- 4 Any vet with the VA's label of "mentally defective" is automatically placed on the FBI's criminal background-check list, and then can be denied their 2nd Amendment rights.

**THE PROBLEM:** The VA doesn't follow any strict standards to determine if mental health should preclude someone from owning firearms – they're simply analyzing whether or not a vet should manage their finances. No judge reviews the VA's decision – even though it ends up restricting veterans' rights.

**THE IMPACT:** As of Dec 2016, the VA has reported **167,824 individuals** to be placed on the FBI's criminal background-check list, without due process.

**THE FIX:** We introduced a bill to fix this called **The Veterans 2nd Amendment Protection Act** (H.R. 1181).

**WHAT THE BILL DOES:** It makes sure no veteran is declared "mentally defective" simply because the VA appoints someone to assist with the management of the veteran's financial affairs. It's common sense.

**WHY IT MATTERS:** It's wrong for vets who utilize a fiduciary to lose their 2nd Amendment rights without due process. We need to keep appropriate safeguards, and ensure guns aren't falling into the wrong hands. But **we cannot allow veterans to be wrongly denied the rights they fought to defend.**